



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

April 27, 1998

Mr. Ron M. Pigott
Assistant General Counsel
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773-0001

OR98-1052

Dear Mr. Pigott:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 114700.

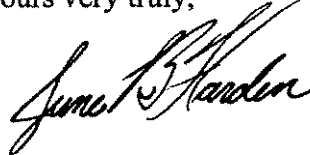
The Texas Department of Public Safety (the "department") received a request for the department's "basic" driver record file. You explain that pursuant to section 521.050 of the Transportation Code, the department provides copies of the names, addresses and dates of birth of all license holders in the department's basic driver's license record file to those purchasers who meet an exception to the new driver license privacy laws described in Chapter 730 of the Transportation Code. The requestor currently purchases this information from the department. The requestor now seeks additional information including: class of license, commercial driver license indicator, restrictions, endorsements, race, sex, eye color, hair color, height, weight, driver's education completion indicator, original application date, social security number, voter indicator, and alias. You claim that this additional information is confidential and cannot be released.

Section 552.101 excepts from required public disclosure information that is considered confidential by law, either constitutional, statutory, or by judicial decision. You assert that the requestor seeks information which is prohibited from release under sections 521.050 and 730.007 of the Transportation Code. Section 521.050(b) provides that the magnetic tape provided under this section may contain only the names, addresses, and dates of birth of individuals who have not prohibited the disclosure of personal information relating to those individuals under section 521.052 and Chapter 730. Section 730.007(b) provides that the only personal information an agency may release under this section is the individual's: (1) name and address; (2) date of birth; and (3) driver's license number. We agree that the Transportation Code limits the types of personal information that a

governmental body may disclose to the public. Consequently, the department may not release the additional requested information to the requestor.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "June B. Harden". The signature is fluid and cursive, with the first name "June" being more prominent.

June B. Harden
Assistant Attorney General
Open Records Division

JBH/glg

Ref.: ID# 114700

Enclosures: Submitted documents

cc: Mr. Steve Hayden
President
Household Drivers Report, Inc.
902 S. Friendswood Drive, Suite F
Friendswood, Texas 77546
(w/o enclosures)